STATUTORY INSTRUMENTS

1971 No. 940

AGRICULTURE

HILL LANDS

The Hill Cattle (Breeding Herds) (England and Wales) (Amendment) Scheme 1971

Made - - -	*4th June* 1971
Laid before Parliament	*11th June* 1971
Coming into Operation	*12th June* 1971

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in pursuance of sections 13, 14, 15 and 17 of the Hill Farming Act 1946(**a**), as amended by section 43 of the Agriculture Act 1967(**b**), and as read with the Transfer of Functions (Wales) Order 1969(**c**), and of all their other enabling powers, with the approval of the Treasury, hereby make the following scheme :—

Citation and commencement

1. This scheme, which may be cited as the Hill Cattle (Breeding Herds) (England and Wales) (Amendment) Scheme 1971, shall come into operation on 12th June 1971.

Interpretation

2.—(1) This scheme shall be construed as one with the Hill Cattle (Breeding Herds) (England and Wales) Scheme 1968(**d**), as amended (**e**), in this scheme referred to as "the principal scheme".

(2) The Interpretation Act 1889(**f**) shall apply to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

Amendment of definition of "accredited herd"

3. The principal scheme shall be amended by the substitution for the definition of the expression "accredited herd" which is contained in paragraph 2(2) of the Hill Cattle (Breeding Herds) (England and Wales) (Amendment) Scheme 1970(**g**) of the following definition :—

" 'accredited herd' means a herd which to the satisfaction of the Minister or the Secretary of State for Scotland either—

(*a*) has been found to be free from brucellosis by means of a series of diagnostic tests carried out by him or on his behalf and has been, since the date of commencement of such tests, the subject of adequate precautions against the introduction or re-introduction and consequent spreading of brucellosis, or

(**a**) 1946 c. 73. For change of title of the Minister see S.I. 1955/554 (1965 I, p. 1200).
(**b**) 1967 c. 22.
(**c**) S.I. 1969/388 (1969 I, p. 1070).
(**d**) S.I. 1968/875 (1968 II, p. 2310).
(**e**) S.I. 1969/695, 1970/877 (1969 II, p. 1909; 1970 II, p. 2805).
(**f**) 1889 c. 63.
(**g**) S.I 1970/877 (1970 II, p. 2805).

(*b*) has been wholly constituted by the transfer of animals from other accredited herds in Great Britain or from such similar herds outside Great Britain as the Minister, in relation to herds in England and Wales, or the Secretary of State, in relation to herds in Scotland, may either generally or in any special case allow, and has been, since being so constituted, the subject of such precautions as aforesaid."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th May 1971.

(L.S.) *J. M. L. Prior,*
Minister of Agriculture, Fisheries and Food.

Given under my hand on 27th May 1971.

Peter Thomas,
Secretary of State for Wales.

We approve,
4th June 1971.

Bernard Weatherill,
P. L. Hawkins,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

The present scheme amends the definition of "accredited herd" in the Hill Cattle (Breeding Herds) (England and Wales) Scheme 1968, which was introduced by paragraph 2(2) of the Amendment Scheme of 1970, so as to bring it into line with that which is now operative in relation to beef cow subsidy.

As a result of the amendment, a herd will be regarded as "accredited" for the purposes of the hill cattle subsidy if it has been found to be free from brucellosis by means of a series of diagnostic tests carried out by or on behalf of the Minister, and has subsequently been the subject of adequate precautions against the introduction or re-introduction and consequent spreading of the disease. Alternatively, a herd will be regarded as "accredited" if it has been wholly constituted from cattle transferred from other accredited herds in Great Britain, or from similar herds outside Great Britain as may be allowed by the Minister or the Secretary of State for Scotland, and has since been the subject of similar precautions against the introduction and spreading of brucellosis.